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Second Circuit Court of Appeals and Court of Appeals for District of Columbia

October 28, 2025

Via ECF

The Honorable Nusrat J. Choudhury
United States District Court Judge
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *United States v. Carmine G. Agnello*, No. 2:24-cr-00366-NJC-1

Dear Judge Choudhury:

I write as counsel for Mr. Carmine G. Agnello to respectfully request an adjournment of the forthcoming sentencing scheduled before the Court on November 6, 2025 at 10:30 AM. This request is based on a direct scheduling conflict arising from my current engagement in a lengthy murder trial before the Supreme Court, New York County. I have been engaged since October 3, 2025, and the schedule has changed countless times, and extended far beyond the anticipated time frame.

The attached Supreme Court Order just evidences my required trial attendance, trial obligations, and the court's explicit instruction since this case is extending to November. (*See Do Not Engage in People v. Aljo Mrkulic* attached as **Exhibit A**). This engagement has essentially consumed all my time since late September, where I have had to reschedule numerous matters. Consequently, this trial directly prevents my appearance in federal court for the sentencing of Mr. Agnello as currently slated.

In addition, I am actively working to finalize key points of my sentencing memorandum and relevant exhibits – ensuring a complete, fair presentation of all factors relevant to sentencing.

Accordingly, I respectfully request an adjournment of the sentencing to **January 7, 2025** or any date thereafter that is convenient for the Court and all the parties.

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I have discussed this adjournment request with AUSA Bradley King, who does not oppose the application.

Thank you for your consideration of this request and your courtesy under these circumstances.

Very truly yours,

s/ Steven A. Metcalf II

Steven A. Metcalf II, Esq.
Attorney for Carmine G. Agnello

Cc: Bryan Morabito ([Bryan Morabito@nyed.uscourts.gov](mailto:Bryan_Morabito@nyed.uscourts.gov))
AUSA Bradley King (bradley.king@usdoj.gov)
All parties (*via ECF*)

Encl: Exhibit A – Letter of Trial Engagement from Supreme Court

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